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Counsel for Defendant BERNIE CUSTODIO

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
BERNIE CUSTODIO,  
  
Defendant.

CR-06-00659 VRW  
  
STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING APRIL 17,  
2007 DATE FOR SETTING/CHANGE  
OF PLEA TO MAY 8, 2007 FOR  
CHANGE OF PLEA

The undersigned parties stipulate as follows:

1. The parties' next appearance before this Court is currently scheduled for April 17, 2007 at 10:30 a.m. for setting/change of plea.
2. The parties are in the process of settling the case and negotiating a plea agreement. The parties request that the court continue the April 17, 2007 appearance to May 8, 2007 at 10:30 a.m. for a change of plea.
3. The parties agree that the time between April 17, 2007 and May 8, 2007 should be excluded from the computation of time within which the trial of this matter must commence for effective preparation of counsel, and because the ends of justice served

1 by taking such action outweigh the best interest of the public and the defendant in a  
2 speedy trial, in light of the need for the reasonable time necessary for effective  
3 preparation of counsel, taking into account the exercise of due diligence. 18 U.S.C. §  
4 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

5 IT IS SO STIPULATED

6  
7 Date: April 16 , 2007

/S/  
SHAWN HALBERT  
Assistant Federal Public Defender

8  
9  
10 Date: April 16 , 2007

/S/  
TRACIE L. BROWN  
Assistant United States Attorney

ORDER

For GOOD CAUSE SHOWN, it is hereby ORDERED that the next court appearance in this matter, previously set by this Court for April 17, 2007 at 10:30 a.m. for setting/change of plea, shall be continued to May 8, 2007 at 10:30 a.m. for change of plea. IT IS FURTHER ORDERED that the time between April 17, 2007 and May 8, 2007 shall be excluded from the computation of time within which the trial of this matter must commence because the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial, in light of the need for the reasonable time necessary for effective preparation of counsel, for the reasons described in the above stipulation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

Date: 4/24/2007

